

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

DARREN M. DUMONT,)	
)	
)	
Plaintiff)	
)	
v.)	CIVIL ACTION
)	NO. 04-12307DPW
)	
UNITED STATES OF AMERICA,)	
)	
Defendant)	

JOINT STATUS REPORT FOR STATUS CONFERENCE ON MAY 11, 2006

The Court's Scheduling Notice dated January 26, 2006 set this non-jury maritime personal injury action for a Status Conference at 2:30 p.m. on May 11, 2006. The parties submit this Joint Status Report in advance of the conference, as ordered by the Court.

The parties have completed discovery in this matter, which involves a claim by plaintiff Darren Dumont that he suffered a physical injury on December 30, 2002 while serving as Second Mate on defendant's vessel USNS BOWDITCH, a civilian-operated research vessel owned by the United States. The parties anticipate that there will be only a single witness testifying in person at trial, plaintiff Darren Dumont. In addition to his own testimony, plaintiff will offer the deposition testimony of Bosun Robert Pagan, who lives in California and often is away at sea. The defendant expects to offer the testimony by deposition of Captain Jerome Peschka and Chief Engineer Edward Curran; both men are often away at sea, and Captain Peschka lives in New Mexico while Chief Engineer Curran lives in mid-Coast Maine.

The parties have reached an agreement to submit plaintiff's medical records to the Court, thereby avoiding the need for any physician's testimony.

Given that there will be no jury and therefore no jury selection process, the parties anticipate that trial will take one to two trial days, depending upon whether the Court tries the case on a full day or partial day basis. Because of vacation schedules and professional commitments to other matters, counsel request that the Court schedule this case for trial during the following periods: any time during the three weeks beginning August 14, 21, and 28 except August 14, 25, 28, or 31; or any time during September except September 1, 5, 6, 11, 13-15.

PLAINTIFF DARREN DUMONT
By his attorneys,

/s/ **David J. Berg**
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Dated: May 4, 2006

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on May 4, 2006.

/s/ **James B. Re**
James B. Re